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7 **UNITED STATES BANKRUPTCY COURT**

8 **DISTRICT OF NEVADA**

9 In re:

10 USA Commercial Mortgage Company;
11 USA Capital Realty Advisors, LLC;¹
12 USA Capital Diversified Trust Deed Fund, LLC;
USA Capital First Trust Deed Fund, LLC;²
USA Securities, LLC,³

13 Debtors.

14 **Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**Stipulation Re Wow Enterprises, Inc.
Proof of Claim Based Upon Palm
Terrace Litigation.**

Hearing: February 20, 2009

Time: 9:30 a.m.

20 The USACM Liquidating Trust and Palm Terrace Claimants by and through their
21 undersigned counsel hereby stipulate and agree:

22 1. The USACM Liquidating Trust filed a First, Second, Third and Fourth Omnibus
objection to Proofs of Claim Based Upon Palm Terrace Litigation [DE 6752, 6753, 6754
23 and 6755] (the “Objection”).

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¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

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1 2. On February 12, 2009, Responses to the objection were filed by the Palm
2 Terrace Claimants [DE 6707, 6708, 6709, 6710].

3 3. The hearing on the Objection and response came before the Court on February
4 20, 2009.

5 4. At the hearing, Counsel for the Palm Terrace claimants advised the Court that
6 the valid remaining claim was a claim filed by Wow Enterprises, Inc., ("Wow") in the
7 amount of \$184,965.74.

8 5. Counsel for the USACM Liquidating Trust circulated orders disallowing all
9 Palm Terrace claims except for a proof of claim of Wow to the extent of \$184,965.75.
10 Counsel for the Palm Terrace claimants signed off on the form of orders.

11 6. A scheduling conference is scheduled for April 10, 2009 at 9:30 a.m.

12 7. To resolve this dispute, it is stipulated and agreed that Wow's claim 10725-
13 01056 be allowed as a general unsecured claim in the amount of \$50,000.00 and the
14 balance of claim disallowed and all other claims filed by Wow are disallowed in their
15 entirety.

16 WHEREFORE, the Parties request that the Court: (1) Vacate the scheduling
17 conference and; (2) enter an order approving this Stipulation, allowing the Wow claim
18 10725-01056 in the amount of \$50,000 as a general unsecured claim and disallowing all
19 other claims filed by Wow in their entirety.

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**LEWIS
AND
ROCA
L.L.P.**

Respectfully submitted:

LEWIS AND ROCA LLP

TINGLEY PIONTKOWSKI LLP

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DATED: April 7, 2009

DATED: April 7, 2009